

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

SHIRLEY SKIPPER-SCOTT

PLAINTIFF

V.

CIVIL ACTION NO. 3:13-cv-17-HTW-LRA

ERIC HOLDER

DEFENDANT

ORDER TO DISMISS

On February 16, 2016, this court directed Shirley Skipper-Scott to advise this court whether she had served defendant Eric Holder in accordance with the federal Rules of Civil Procedure. This court provided the plaintiff with ten (10) days to respond. Plaintiff, however, has failed to respond.

Rule 4(m) of the Rules of Civil Procedure provides that a plaintiff shall serve process upon a defendant within 90 days of filing a complaint. If the plaintiff fails to serve process upon a defendant within that 90-day period, this court must dismiss the plaintiff's lawsuit without prejudice.

For the foregoing reasons, and for the reasons described in this court's previous order [docket no. 8], this court is not persuaded that Shirley Skipper-Scott properly served Eric Holder within the 90-day period.

Therefore, this court dismisses the plaintiff's lawsuit, without prejudice, for failure to serve process properly upon the defendant.

SO ORDERED AND ADJUDGED, this, the 8th of March, 2016.

s/ HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE